

The Honorable Robert J. Bryan

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

UGOCHUKWU GOODLUCK NWAUZOR,
FERNANDO AGUIRRE-URBINA,
individually and on behalf of all those
similarly situated,

Plaintiffs/Counter-Defendants,

v.

THE GEO GROUP, INC.,

Defendant/Counter-Claimant.

Case No. 3:17-cv-05769-RJB

**DECLARATION OF COLIN L. BARNACLE
IN SUPPORT OF DEFENDANT THE GEO
GROUP, INC.'S MOTION FOR SUMMARY
JUDGMENT**

I, Colin L. Barnacle, make the following statement under oath subject to the penalty of perjury pursuant to the laws of the United States and the State of Washington:

1. I am the attorney for The GEO Group, Inc. in the above-captioned matter. I am over the age of eighteen (18), and I am competent to testify in this matter.

2. Attached are true and correct copies of the following exhibits:

EXHIBIT A: Attached as Exhibit A is the 2015 agreement for GEO's Operation of the Northwest Ice Processing Center ("NWIPC"), contract HSCEDM-15-D-00015 ("2015 ICE Contract"). This document was previously submitted in connection with the declaration of Amber Martin in the State of Washington v. The GEO Group, Case No. 17-cv-05806, ECF 246-3 (July 2, 2019). As noted in the caption of the document, this contract was also submitted for the above-captioned case. Under the terms of the Protective Order, Exhibit A is filed under seal.

EXHIBIT B: Attached as Exhibit B are excerpts from the deposition of Plaintiff Ugochukwu Nwauzor taken by GEO on June 19, 2018.

EXHIBIT C: Attached as Exhibit C is the Declaration of Tae Johnson, Assistant Director, Custody Management Division, Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security. This declaration was previously submitted in *State of Washington v. The GEO Group*, Case No. 17-cv-05806, ECF 91 (August 3, 2018).

EXHIBIT D: Attached as Exhibit D is a Detainee Handbook from the NWIPC, previously produced in this litigation at bates numbers GEO-Nwauzor 015062-GEO-Nwauzor 015101.

EXHIBIT E: Attached as Exhibit E is the 2009 agreement for GEO's Operation of the NWIPC, contract HSCEDM-10-D-00001 ("2009 ICE Contract"). This document was previously submitted in connection with the declaration of Amber Martin in the *State of Washington v. The GEO Group*, Case No. 17-cv-05806, ECF 246-2 (July 2, 2019). As noted in the caption of the document, this contract was also submitted for the above-captioned case. In lieu of filing this document under seal, GEO submits a redacted version that was previously filed at Docket Number 246-4 in the *State of Washington* case.

EXHIBIT F: Attached as Exhibit B are excerpts from the deposition of Erwin Delacruz taken by Plaintiffs on December 2, 2019.

EXHIBIT G: Attached as Exhibit G are excerpts from the 30(b)(6) Deposition of the State of Washington, witness Byron Eagle from the Special Commitment Center, taken by GEO on December 5, 2019.

EXHIBIT H: Attached as Exhibit H is the Declaration of Julie Williams. This declaration was previously submitted in *State of Washington v. The GEO Group*, Case No. 17-cv-05806, ECF 304 (September 13, 2019).

1 **EXHIBIT I:** Attached as Exhibit I is “Responses to Inmate Worker Questions,”
2 previously submitted in *State of Washington v. The GEO Group*, Case No. 17-cv-05806, ECF
3 300 (September 10, 2019).

4 **EXHIBIT J:** Attached as Exhibit J are excerpts from the deposition of Sean Murphy,
5 taken by GEO on December 19, Exhibit J2019.

6 **EXHIBIT K:** Attached as Exhibit G are excerpts from the 30(b)(6) Deposition of the
7 State of Washington, witness Debra Jean Eisen from Department of Corrections, taken by GEO
8 on December 13, 2019.

9 **EXHIBIT L:** Attached as Exhibit L is GEO’s contract with the State of Washington.
10 This document was previously submitted in *State of Washington v. The GEO Group*, Case No.
11 17-cv-05806, ECF 107-7 (July 2, 2019).

12 **EXHIBIT M:** Attached as Exhibit M is the Year End Report for the Northwest Detention
13 Center. Under the terms of the Protective Order, Exhibit M is filed under seal.

14 Dated this 2nd day of January, 2020 at Denver, Colorado.

15 Akerman, LLP

16 s/ Colin L. Barnacle
17 Colin L. Barnacle, (Admitted *pro hac vice*)
18 Attorney for Defendant The GEO Group, Inc.
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PROOF OF SERVICE

I hereby certify on the 2nd day of January 2020, pursuant to Federal Rule of Civil Procedure 5(b), I electronically filed and served the foregoing **DECLARATION OF COLIN L. BARNACLE IN SUPPORT OF DEFENDANT THE GEO GROUP, INC.'S MOTION FOR SUMMARY JUDGMENT** via the Court's CM/ECF system on the following:

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